

MICHIGAN COURT OF APPEALS



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The court of appeals was created by the Constitution of 1963, art. 6, sec. 1, and began operation in 1965 with a bench of nine judges. The legislature increased the size of the bench to 12 judges in 1969, to 18 judges in 1974, to 24 judges in 1986, and to 28 judges in 1993. In 2012, legislation was enacted that will eventually reduce the court's size to 24 judges through attrition.

A candidate for the court of appeals must be a lawyer, under 70 years of age, a qualified elector, and a resident of the district in which he or she is running. Judges are elected in nonpartisan elections for six-year terms. Their salaries are set by the legislature. The court is divided into four geographic districts for election purposes and has offices located in each district: Detroit (District I), Troy (District II), Grand Rapids (District III), and Lansing (District IV). Although elected by district, the judges sit statewide in panels of three, rotating with two different judges every month. The rotation of judges on panels encourages statewide uniformity in rulings by eliminating the likelihood of conflicting legal philosophies developing in specific geographical areas.

The court of appeals hears both civil and criminal cases. Cases may be initiated as discretionary appeals, appeals by right, or original actions (in limited case types as provided by the legislature). Published opinions of the court are controlling across all four districts, and decisions of the court are final unless and until reversed or overruled by a special conflict panel of the court or by the supreme court. The court sits year-round in Detroit, Lansing and Grand Rapids, or in another location as designated by the chief judge. At present, arguments are scheduled twice a year in Marquette and in the northern Lower Peninsula, usually Petoskey or Traverse City.

Every two years a chief judge is selected by the supreme court. In addition to hearing cases, the chief judge or his/her designee performs administrative duties and other assignments required by the supreme court.

